

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
San Francisco Venue

Report on Person Under Supervision

Person Under Supervision

Jose Sotomayor

Docket Number

0971 3:18CR00483-002 SI

Name of Sentencing Judge: The Honorable Susan Illston
Senior United States District Judge

Date of Original Sentence: September 6, 2019

Original Offense

Count One: Importing or Dealing Firearms Without a License, 18 U.S.C. § 922(a)(1)(A), a Class C Felony

Count Two: Importing or Dealing Firearms Without a License, 18 U.S.C. § 922(a)(1)(A), a Class C Felony

Original Sentence: 30 months custody on each count to be served concurrently, followed by three years supervised release

Special Conditions: \$200 special assessment; vocational training; mental health treatment; not participate in gang activity, not associate with any member of the Norteno gang; not possess false identification, and provide true identity at all times; no contact with codefendant Derek Holden; DNA; search; drug testing and treatment; abstain from all alcoholic beverages

Prior Form(s) 12: None

Type of Supervision

Supervised Release

Assistant U.S. Attorney

Ross E. Weingarten

Date Supervision Commenced

August 25, 2021

Defense Counsel

Christopher J. Cannon (Appointed)

Petitioning the Court to Take Judicial Notice

Cause

RE: Sotomayor, Jose
0971 3:18CR00483-002 SI

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<u>Charge Number</u>	<u>Violation</u>
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One	There is probable cause to believe that the client violated mandatory condition number three which states, in part, "You must refrain from any unlawful use of a controlled substance."
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On February 8, 2022, the client submitted a drug test, Specimen Number B04924202, that was confirmed positive for marijuana on February 27, 2022.

Evidence of this violation can be obtained from the Drug Test Report for Specimen Number B04924202.

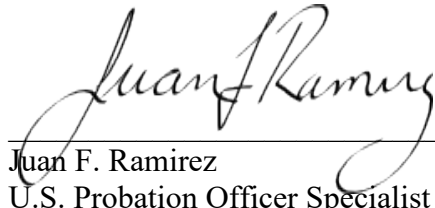
Action Taken and Reason

On February 18, 2022, the client admitted to taking CBD gummies to aid with anxiety and stress. Mr. Sotomayor was under the impression that CBD gummies would not produce a positive drug test. He stated he would stop taking them immediately and was encouraged to discuss his anxiety and stress with his mental health counselor. Mr. Sotomayor has tested negative to date.

The U.S. Probation Officer recommends the Court take judicial notice of the violation. This will allow Mr. Sotomayor to address his sobriety, anxiety in treatment.

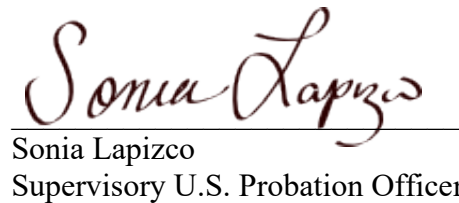
Respectfully submitted,

Reviewed by:



Juan F. Ramirez
U.S. Probation Officer Specialist

Date Signed: March 23, 2022

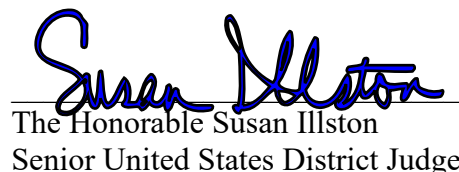


Sonia Lapizco
Supervisory U.S. Probation Officer

THE COURT ORDERS:

- ☒ The Court concurs and takes judicial notice
- ☐ Submit a request to modify supervision
- ☐ Submit a request for a warrant
- ☐ Submit a request for summons
- ☐ Other:

September 8, 2023
Date



The Honorable Susan Illston
Senior United States District Judge